

BILL NO. Z-73-04-08

ZONING MAP ORDINANCE NO. Z-09-74

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance no. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C-14, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot #19, 20, 21, 22, 23, 28, 29, 30 & 31,  
Gardendale Addition.  
A parcel of ground located on the east side  
of Decatur Road, South of Seddlemeyer Avenue  
and North of Woodside Avenue.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt  
Councilman

APPROVED AS TO FORM  
AND LEGALITY,

Keith B. [Signature]  
CITY ATTORNEY

ms [Signature]

Read the first time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 4/10/74

Charles W. Talarico  
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage.

Passed (~~LOST~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	<u>X</u>	_____	_____	_____	_____
HINGA	<u>X</u>	_____	_____	_____	_____
KRAUS	<u>X</u>	_____	_____	_____	_____
MOSES	<u>X</u>	_____	_____	_____	_____
NUCKOLS	<u>X</u>	_____	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____	_____

DATE: 5-28-74

Charles W. Talarico  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. 3-09-74 on the 28th day of May, 1974.

ATTEST: (SEAL)

Charles W. Talarico  
CITY CLERK

Samuel J. Talarico  
PRESIDENT OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Talarico  
CITY CLERK

Approved and signed by me this 28th day of May, 1974, at the hour of 3:30 o'clock P. M., E.S.T.

Jim A. Ford  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 10, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-04-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 14, 1973; and,

WHEREAS, the City Plan Commission recommended a DO PASS, subject to conditions, at their meeting held May 23, 1973; and,

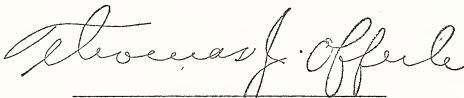
WHEREAS, Petitioners received notification letters dated May 23, 1973, October 1, 1973, December 19, 1973 and February 5, 1974, stating conditions would have to be satisfied before ordinance would be forwarded to the Common Council, with a DO PASS recommendation.

WHEREAS, The City Plan Commission, at their Business Meeting of February 25, 1974, informed the petitioners that conditions were to be submitted, in covenant form, within thirty (30) days from February 25, 1974, or the ordinance would be forwarded to the Common Council with a recommendation of DO NOT PASS.

BE IT FURTHER RESOLVED, that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 25, 1974.

Certified and signed this  
10th day of May, 1974.



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Thomas J. Offerle  
Secretary

Bill No. Z-73-04-08

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. C-14

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance also PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

*John Nuckols*

*William T. Hinga*

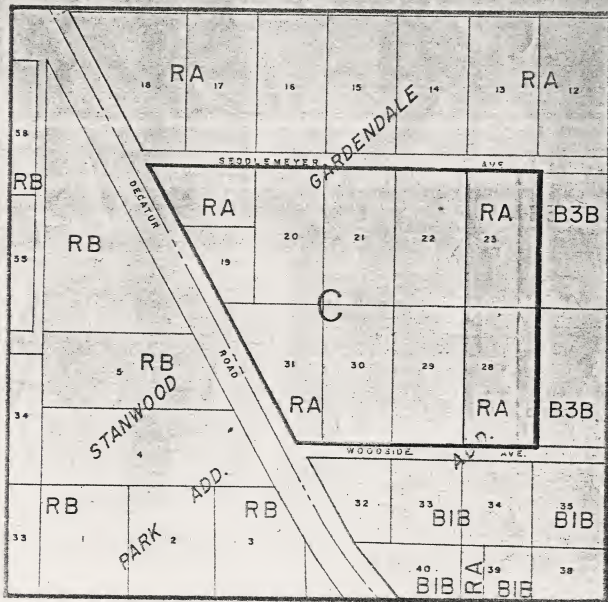
*Paul M. Burns*

*D. Schmidt*

DATE 5-28-74

CONCURRED IN

CHARLES W. WESTERMAN, CITY CLERK



C CHANGE FROM RA TO BIB

Lots 19, 20, 21, 22, 23, 28, 29, 30, & 31 Gardendale Addition

2-13-04-08

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. \_\_\_\_\_

TO: COMMON COUNCIL OF THE

Date Filed \_\_\_\_\_

CITY OF FORT WAYNE, INDIANA

Intended Use \_\_\_\_\_

I/We G.H. & E.M. DAVIS / L.G. & A.M. DAVISON / M.F. & L.E. CROSBLEY  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an RA District to a/an B1B District the property described as follows:

Lot #19, 20, 21, 22, 23, 28, 29, 30, & 31 GARDENDALE ADDITION  
A PARCEL OF GROUND LOCATED ON THE EAST SIDE OF DECATUR  
ROAD, SOUTH OF SADDLEMAYER AVENUE AND NORTH OF WOODSIDE AVE.

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

_____	<u>4604 MARION DR</u>	<u>Max F. Crosley</u> <sup>Done</sup>
_____	<u>7227 Decatur Rd</u>	<u>Lewis S. Davison</u>
_____	<u>7103 Decatur Rd</u>	<u>Geo. H. Davison &amp; E.M. Davison</u>
(Name)	(Address)	(Signature)

Legal Description Checked By: \_\_\_\_\_  
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

<u>Max Crosley</u>	_____	_____
(Name)	(Address)	(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,  
Fort Wayne, Indiana 46802 Telephone Number 423-7571

DIGEST SHEET

TITLE OF ORDINANCE

Zoning Map Ordinance

*Regulation*  
*3-73-04-08*

DEPARTMENT REQUESTING ORDINANCE

City Plan Commission

SYNOPSIS OF ORDINANCE

Preparation of a Zoning Map Amendment Ordinance petition initiated by  
property owners to rezone property located as follows:

Lots # 19, 20, 21, 22, 23, 28, 29, 30 & 31 Gardendale Addition. A parcel of  
ground located on the east side of Decatur Road, south of Seddlemeyer Avenue  
and north of Woodside Avenue.

From an "RA" District to a "B1B"

EFFECT OF PASSAGE

*From Residential use to  
commercial*

EFFECT OF NON-PASSAGE

*Remains residential*

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

*none*

ASSIGNED TO COMMITTEE (J.N.)

*Regulat - WCM*



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN  
CITY CLERK

May 30, 1974

Miss Helen Libbing  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of June 1 and June 8, 1974, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana, for the  
following ordinances:  
Zoning Map Ordinance No. Z-09-74  
(Zoning Map No. C-14)  
General Ordinance No. G12-74  
(Vacation of portion of  
Nevada Ave.)  
General Ordinance No. G-13-74  
(Vacation of Alley)  
General Ordinance No. G-14-74  
(Regulating unsafe buildings and  
premises in Allen County)

Please send us six (6) copies of each paper of the Publisher's Affidavit.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Charles W. Westerman".

Charles W. Westerman  
City Clerk

CWW/ne  
ENCL: 4



Common Council - City of Ft. Wayne  
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

78

2

80

## COMPUTATION OF CHARGES

80 lines, 1 columns wide equals 80 equivalent lines at 28¢ cents per line \$ 23.04

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

2.00

\$ 25.04

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 10, 1974

Title Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana

Allen County

Personally appeared before me, a notary public in and for said county and state, the undersigned, V.E. Gerken

that S he is Clerk

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

times, the dates of publication being as follows:

June 1-8/74

Subscribed and sworn to before me this 10th day of June 1974

Notary Public

My commission expires March 11, 1978

Notice is hereby given that on the 28th day of May, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 2-97-04-08 Zoning Map Ordinance, to-wit:

BILL NO. 2-97-04-08  
ZONING MAP ORDINANCE NO. 2-97-74,  
AN ORDINANCE AMENDING THE CITY OF  
FORT WAYNE ZONING MAP NO. C-14,  
BE IT ORDAINED BY THE COMMON  
COUNCIL OF THE CITY OF FORT  
WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1956 as amended by General Ordinance No. 2336 and amendments thereto; and the symbols of the City of Fort Wayne Zoning Map No. C-14 referred to therein, established by Section 9, Article III of said Charter as amended, are hereby changed accordingly, to-wit:

Lot No. 19, 20, 21, 22, 23, 25, 26 & 31, Gardendale Addition,  
A parcel of ground located on the east side of Decatur Road, South of Seddlemeyer Avenue and North of Woodside Avenue.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Witness my hand and seal this 29th day of May, 1974, at the hour of 11:00 o'clock P.M., E.S.T.

Read the third time in full and on motion by Nuckols, seconded by Siller, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Nine  
Burns, Kinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Siller, Talarico.  
Nays: None  
Date: 5-29-74

Charles W. Westernman  
City Clerk  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map No. 2-97-74 on the 28th day of May, 1974.

ATTEST: (SEAL)  
Charles W. Westernman  
City Clerk

Samuel J. Talarico  
Presiding Officer  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westernman  
City Clerk  
Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff  
Mayor  
I, Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. 2-97-74 passed by the Common Council on the 28th day of May, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of May, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of May, 1974.

CHARLES W. WESTERMAN  
CITY CLERK

Common Council of City of Ft. Wayne  
(Governmental Unit)To JOURNAL-GAZETTE Dr.Allen County, Ind.FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

5878280

## COMPUTATION OF CHARGES

80 lines, 1 columns wide equals 80 equivalent lines at 288¢ \$ 23.04  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

2.00

Charge for extra proofs of publication (50 cents for each proof in excess of two)

\$ 25.04

TOTAL AMOUNT OF CLAIM

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ pointNumber of insertions 2Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 10, 1974 isTitle CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
Allen County } ss:Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of theJOURNAL-GAZETTE  
a DAILY newspaper of general circulation printed and publishedin the English language in the city of FORT WAYNE, INDIANAin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:June 1 - 8, 1974Subscribed and sworn to before me this 10th day of June 19 74My commission expires March 11, 1976  
Notary Public

Notice is hereby given that on the 28th day of May, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 2-29-04-08 2-29-74 Zoning Map Ordinance, to-wit:

BILL NO. 2-29-04-08  
ZONING MAP ORDINANCE NO. 2-09-74,  
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-14,  
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1965, as amended by General Ordinance No. 2855 and Amendments thereto; and the symbols of the City of Fort Wayne Zoning Map No. C-14, referred to herein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot No. W. 20, 21, 22, 23, 28, 29, 30 & 31, Gardendale Addition,  
A parcel of ground located on the east side of Decatur Road, South of Seaside-Myer Avenue and North of Woodside Avenue.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt  
Councilman

Read the third time in full and on motion by Nuckolls, seconded by Siler, and City adopted, placed on its passage, PASSED by the following vote:

Aye: Nine  
Burns, Hinga, Kraus, Moses, Nuckolls, D. Schmidt, V. Schmidt, Siler, Talarico  
Nays: None  
Date: 5-28-74Charles W. Westerman  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, on Zoning Map No. 2-29-74 on the 28th day of May, 1974.

AT TEST: (SEAL)

Charles W. Westerman  
City ClerkSamuel J. Talarico  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman  
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamert  
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. 2-29-74 passed by the Common Council on the 28th day of May, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of May, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of May, 1974.  
CHARLES W. WESTERMAN  
CITY CLERK